



U.S. Department of Justice

United States Attorney
Southern District of New York

MEMO ENDORSED

The Jacob K. Javits Federal Building
26 Federal Plaza, 27th Floor
New York, New York 10278

March 20, 2024

BY ECF

The Honorable Jessica G. L. Clarke
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *United States v. Javaughn Horton and Markel Eure*, S1 23 Cr. 526 (JGLC)

Dear Judge Clarke:

The Government respectfully writes on behalf of the parties to request a two-week adjournment of the pending schedule for the filing of any defense pretrial motions. The parties are engaged in discussions regarding potential pretrial dispositions, and the requested adjournment will permit the parties to potentially reach pretrial dispositions before the defendants file any motions. As currently scheduled, the defendants' motions are due March 22, 2024, any Government response is due on April 12, 2024 and replies are due April 26, 2024. The next conference is scheduled for May 9, 2024. The parties respectfully request that the defendants' motions be due on April 5, 2024, Government responses be due April 26, 2024, and any replies be due on May 10, 2024. To the extent that the Court grants the parties' request, counsel for the defendants have informed the Government that the defendants consent to any exclusion of time under Title 18, United States Code, Section 3161(h)(7)(a) until the date of the next conference if the Court adjourns the April 5, 2024 conference, because such an exclusion will permit the parties to continue to discuss pretrial disposition. If the Court grants this request, the Government will immediately contact the Court to schedule a change of plea proceeding if any defendant comes to an agreement on a disposition.

Thank you for the Court's consideration.

Application GRANTED. The defense pretrial motions deadlines is EXTENDED as followed: Defendant's motion(s), if any, shall be by April 5, 2024, Government's responses shall be filed by April 26, 2024. Defendant's reply shall be filed by May 10, 2024. The status conference scheduled for May 9, 2024 is ADJOURNED to May 23, 2024 at 11:00 a.m. in Courtroom 20C, 500 Pearl Street, New York, New York. The Court finds that the ends of justice served by excluding the time between May 9, 2024 and May 23, 2024, outweigh the best interests of the public and the Defendant in a speedy trial as provided in 18 U.S.C. § 3161(h)(7)(A) because, among other things, the parties are presently engaged in discussions regarding a potential disposition of this matter and the exclusion would allow for those discussions to continue. It is hereby ORDERED that the time between May 9, 2024 and May 23, 2024, is excluded. The Clerk of Court is respectfully directed to terminated the letter motion at ECF No. 27.

Respectfully,

DAMIAN WILLIAMS
United States Attorney

by: /s/
Brandon D. Harper
Assistant United States Attorney
(212) 637-2209

SO ORDERED.

Jessica Clarke

JESSICA G. L. CLARKE
United States District Judge

Dated: March 20, 2024
New York, New York

cc: Counsel (Via ECF)